CASE NO 93-222

SUPREME COURT OF THE UNITED STATES

October term 1993

SAMUEL N McCOO, JR

Pro se Petitioner,

V

DISTRICT OF COLUMBIA

Respondent

CIVIL ACTION ON
WRIT OF CERTIORARI TO THE UNITED
STATES COURT OF APPEALS FOR THE
DISTRICT OF COLUMBIA CIRCUIT

"PRO SE PETITIONER'S REPLY"

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Questions presented for Review

I DO THE ACTIONS AND RULING OF A MAGISTRATE JUDGE, WHICH DEVIATE FROM THE LAW AND THE TRUE RECORD, FOR FAVOR OR DISFAVOR OF A PARTY, THEN SANCTIONED BY A FEDERAL DISTRICT JUDGE AND FEDERAL APPELLATE JUDGES, OVERRIDE THE CONSTITUTION AND LAWS OF THE UNITED STATES, AND SUPREME COURT UNITED STATES RULINGS?

II IF THE ANSWER TO THE ABOVE QUESTION IS "NO", THEN IS A UNITED STATES CITIZEN WHO IS NOT A CRIMINAL, ENTITLED TO RELIEF, FOR A PROPERLY BROUGHT AND SUPPORTED CIVIL CLAIM FOR DEPRIVATION OF CONSTITUTIONAL RIGHTS, AGAINST A MUNICIPAL CORPORATION, WHEN THE CHIEF OFFICERS OF THE CORPORATION DO NOT ANSWER TO THE COMPLAINT, ALLOW ADMITTANCE TO THE ALLEGATIONS, AND DO NOT OPPOSE THE RELIEF SOUGHT?

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STATEMENT OF JURISDICTION

Jurisdiction is founded upon United States Code Title 28 section 1254

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CONSTITUTIONAL, STATUTORY, REGULATIONS INVOLVED

ARTICLE III

Section 1 The Judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be

diminished during their Continuance in Office

Section 2 The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;

Clause 2

In all cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be a Party, the supreme Court shall have original Jurisdiction In all other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such

Exceptions, and under such Regulations as the Congress shall make

Article VI Clause 2

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding

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PRO SE PETITIONER'S REPLY

The respondent is a municipal corporation who's chief executive officer (the Mayor) has not filed or has not had filed any opposition, due, in response to pro se petitioner's petition on writ of certiorari, nor has an appearance been made by an attorney of or for the respondent.

Respondent was duly notified of the action upon which is being sought against the respondent. Service was made on\to the mayor and to both the assistant corporation counsel and corporation counsel for the respondent (certificate of service, on writ of certiorari, Supreme Court U S docket no 93-222)

Respondent's action shows a regard not to be legally bound to the liabilities of an answer or opposition to the cause brought forth and supported by the pro se petitioner, to this highest court for it's consideration

The history and the record of this litigation shows that there is no bonafide answer or opposition that has ever been presented by the respondent

Pro se petitioner is legally bound to the laws of perjury and is and has been forthcoming in support of pro se petitioner's claim with proof, law, and facts (see: U S District Court Docket no 91-3265,

U S Court of Appeals Docket no 92-7217, Supreme Court U S Docket no 93-222)

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REASONS FOR GRANTING OF RELIEF

This Highest court as constituted by the Constitution of the United States, is an Article III court, constituted with judicial power that extends to all cases, in law and equity, arising under the Constitution of the United States and Laws of the United States

The Constitution of the United States also states: that this Highest court shall have appellate

jurisdiction as to both Law and Fact (p 2-3)

Article VI clause 2 of the Constitution of the United States, states that-the Constitution and the Laws of the United States made in pursuance thereof; under the authority of the United States shall be the Supreme Law of the land, nothing to the contrary withstanding (p 3)

Pro se petitioner is a Citizen of the United States, who has cautiously expended limited resources and has done all that pro se petitioner can legally do to become vindicated and recover for damages, caused by respondent's deprivations and violations of pro se petitioner's

United States Constitutional Rights, in a manner consistant with the protection of the public's interest by limiting such suit to a civil claim, to serve as a "red flag (deterrent)" to the respondent municipal corporation

Pro se petitioner did state a civil claim upon which relief can be granted

Pro se petitioner provided bonafide affidavitted proofs and testimony and laws to support pro se petitioner's claim Respondent has not presented bonafide opposition or an answer as required by United States Code Federal Rules of Civil Procedure

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CONCLUSION

If a respondent, an alledged violator of United States law is not held responsible to the law and it's penalties as provided by United States law then how does the court pick and choose who is to suffer a penalty of law and what victim, as pro se petitioner, is to be vindicated and/or allowed recovery of damages caused said victim, as pro se petitioner, at law?

Pro se petitioner is a Citizen of the United States and is entitled to the equal protection and benifit of all United States laws and the Constitution of the United States, pursuant to the Fourteenth Amendment section 1 and United States Code Title 42 section 1981 (See: Pro se

petitioner's petition on writ of certiorari docket no 93-222, p 4, p 12)

Pursuant to United States Code Title 28 Fedral Rule of Civil Procedure, Rule 56 Summary Judgment Procedure (Pro se petitioner's petition on writ of certiorari p 24-29), the respondent has not filed opposition to pro se petitioner's petition on writ of certiorari.

Pro se petitioner respectfully asks this highest court in the land to exercise it's jurisdiction and order the relief sought and prayed by pro se petitioner on writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit, as a remedy to the

cause of action and in answer to the questions presented for review

Punitve damages are awarded, in addition to compensatory damages, both to punish wrongdoer and deter him and others from similiar misconduct in the future -- Subscription Television of Greater Washington v Kaufman, D C D C 1985 606 F Supp 1540

Respectfully submitted,

10/3/93

Samuel N McCoo, Sr
Pro se Petitioner